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6                   **IN THE UNITED STATES DISTRICT COURT**  
7                   **FOR THE DISTRICT OF ARIZONA**

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9      Best Western International Incorporated,  
10                   Plaintiff,  
11                   v.  
12      OP Hotel LLC, et al.,  
13                   Defendants.

No. CV-23-01166-PHX-JAT

**ORDER**

15                   “Inquiring whether the court has jurisdiction is a federal judge’s first duty in every  
16                   case.” *Belleville Catering Co. v. Champaign Market Place, L.L.C.*, 350 F.3d 691, 693 (7th  
17                   Cir. 2003). In this case, the jurisdictional allegations for all Defendants are made on  
18                   “information and belief.” Specifically, the complaint alleges: “[u]pon information and  
19                   belief, the members of OP Hotel are residents of Syosset, New York; Chantilly, Virginia;  
20                   Olathe, Kansas; and Lenexa, Kansas”, “[u]pon information and belief Nedunilam is a  
21                   resident of Syosset, New York; Olathe, Kansas; or Lenexa, Kansas”, and “Defendant Jane  
22                   Doe Nedunilam is Defendant Nedunilam’s spouse and upon information and belief, is also  
23                   a resident of Syosset, New York; Olathe, Kansas; or Lenexa, Kansas.” (Doc. 1 at 1-2).

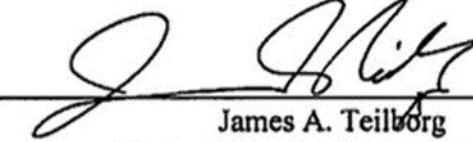
24                   While alleging jurisdiction on information and belief is permissible at the pleading  
25                   stage in this circuit, the Court may require that jurisdiction be established after allowing  
26                   discovery. *Carolina Cas. Ins. Co. v. Team Equip., Inc.*, 741 F.3d 1082, 1088 (9th Cir.  
27                   2014). Accordingly, the Court will require Plaintiff to take discovery and by the deadline  
28                   set forth below, file a jurisdictional supplement that proves: 1) the members of the limited

1 liability company on the date the complaint was filed; 2) the citizenship of each of the  
2 members of the limited liability company on the date the complaint was filed; and 3) the  
3 citizenship of each of the individual defendants on the date the complaint was filed. *See*  
4 *Johnson v. Columbia Properties Anchorage, L.P.*, 437 F.3d 894, 899 (9th Cir. 2006);  
5 *NewGen, LLC v. Safe Cig, LLC*, 840 F.3d 606, 611 (9th Cir. 2016); *Grupo Dataflux v. Atlas*  
6 *Global Group, L.P.*, 541 U.S. 567, 570-71 (2004).

7 Accordingly,

8 **IT IS ORDERED** that Plaintiff must file a jurisdictional supplement by December  
9 22, 2023, establishing federal subject matter jurisdiction.

10 Dated this 17th day of July, 2023.

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15 James A. Teilborg  
16 Senior United States District Judge  
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